

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUDITH ALANE CHAVIS,

Defendant.

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CASE NO: 7:23-CR-045 (WLS)

ORDER

At the Pretrial Conference held on January 10, 2024, the Defendant requested a six-month continuance to permit the Defendant to arrange financing to pay restitution in full prior to entering into a plea agreement with the hope that the Government would then recommend a sentence of home confinement. The Court granted Defendant's request contingent on Defendant filing a motion requesting the continuance and Defendant's agreement that the period of delay in holding the trial is excludable under the Speedy Trial Act 18 U.S.C. § 3161. The Court entered an Order (Doc. 33) memorializing the Pretrial Conference.

Presently before the Court is Defendant's Motion to Continue (Doc. 34) ("Motion"). Therein, Defense Counsel requests a six-month continuance of the trial for the reasons stated at the Pretrial Conference. Defense Counsel states that "[t]he Defendant waives her right to a speedy trial" (Doc. 34 ¶ 3).¹ He further represents that the Government does not oppose the instant Motion.

Based on the Defendant's stated reasons, the Court finds that the ends of justice served by granting a continuance to allow Defendant to pay restitution in full outweigh the best

¹ The Court notes "a defendant may not prospectively waive the application of the [Speedy Trial] Act." *Zedner v. United States*, 547 U.S. 489, 503 (2006) Thus, Defendant's waiver of her right to a speedy trial is applicable only to the continuance granted herein.

interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A)-(B). Therefore, the Motion (Doc. 34) is **GRANTED**.

The Court hereby **ORDERS** that the trial in the above-referenced matter be **CONTINUED** to the Valdosta Division **August 2024 trial term** and its conclusion, or as may otherwise be ordered by the Court. Furthermore, it is **ORDERED** that the time lost under the Speedy Trial Act, 18 U.S.C. § 3161, is **EXCLUDED** pursuant to 18 U.S.C. § 3161(h)(7) because the Court has continued the trial in this case and finds that the failure to grant a continuance (a) would likely result in a miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(B)(i).

SO ORDERED, this 17th day of January 2024.

/s/ W. Louis Sands

W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT